

b. The tract leased by the department of natural resources from the city of Dubuque upon which the E.B. Lyons Interpretive Center is located.

c. That portion located south of the north line of Section 8, Township 88 North, Range 3 East of the 5th P.M. between the west property boundary and the east line of said Section 8.

d. That portion located north of Catfish Creek, east of the Mines of Spain Road and south of the railroad tracks. This portion contains the Julien Dubuque Monument.

61.7(2) Archery hunting for all legal species and trapping are permitted in compliance with all open season, license and possession limits on all of the Mines of Spain Recreation Area except those designated as refuge by subrule 61.7(1).

61.7(3) Firearm use is prohibited in the following described areas:

a. The areas described in subrule 61.7(1).

b. The area north and west of Catfish Creek and west of Granger Creek.

61.7(4) Deer hunting with guns and muzzleloading rifles and hunting for all other species is permitted only during the regular gun season and with shotguns only as established by 571 IAC 106. Areas not described in 61.7(3) are open for hunting. Hunting shall be in compliance with all other regulations.

61.7(5) Turkey hunting with shotguns is allowed only in compliance with the following regulations:

a. Only during the first shotgun hunting season established in 571 IAC 98 which is typically four days in mid-April.

b. Only that area of the Mines of Spain Recreation Area located east of the newly established roadway and south of the Horseshoe Bluff Quarry.

61.7(6) The use or possession of handguns and all types of rifles is prohibited on the entire Mines of Spain Recreation Area except as provided in 61.7(4). Target and practice shooting with any type of firearm is prohibited.

61.7(7) All forms of hunting, trapping and firearms use not specifically permitted by 571—61.7(461A) are prohibited on the Mines of Spain Recreation Area.

571—61.8 to 61.20 Reserved.

571—61.21(461A) After-hours fishing, exception to closing time.

61.21(1) Conditions. Persons shall be allowed access to the areas designated in 571—61.22(461A) between the hours of 10:30 p.m. and 4 a.m. under the following conditions:

a. The person is to be actively engaged in fishing.

b. The person shall behave in a quiet, courteous manner so as to not disturb other users of the park such as campers.

c. Access to the fishing site shall be by the shortest and most direct trail or access facility from the parking area.

d. Vehicle parking shall be in the lots designated by signs posted in the area.

e. Activities other than fishing are allowed with permission of the director or an employee designated by the director.

61.21(2) Reserved.

571—61.22(461A) Designated areas for after-hours fishing. Areas which are open from 10:30 p.m. to 4 a.m. are shown on maps available from the department of natural resources. The areas are described as follows:

61.22(1) Lower Pine Lake, Hardin County. West shoreline along Hardin County Road S56 from the beach southerly to the boat ramp access.

61.22(2) Upper Pine Lake, Hardin County. Southwest shoreline extending from the boat launch ramp to the dam.

61.22(3) Pikes Point State Park, Dickinson County. The shoreline areas of Pikes Point State Park on the east side of West Okoboji Lake.

61.22(4) Black Hawk Lake, Sac County. The area of state park between the road and the lake running from the marina at Drillings Point on the northeast end of the lake approximately three-fourths of a mile in a southwesterly direction to a point where the park boundary decreases to include only the roadway.

61.22(5) North Twin Lake State Park, Calhoun County. The shoreline of the large day use area containing the swimming beach on the east shore of the lake.

61.22(6) Lake Geode State Park, Des Moines County portion. The area of the dam embankment between the county road and the lake as shown on the map.

61.22(7) Lake Macbride State Park, Johnson County. The shoreline of the south arm of the lake adjacent to the county road commencing at the “T” intersection of the roads at the north end of the north-south causeway proceeding across the causeway thence southeasterly along a foot trail to the east-west causeway, across the causeway to the parking area on the east end of that causeway.

61.22(8) Union Grove State Park, Tama County.

a. The dam embankment from the spillway to a line parallel with the west end of the parking lot adjacent to the dam.

b. The area of state park between the county road and the lake along the west shoreline from the causeway on the north end of the lake to the southerly end of the arm of the lake that extends southwesterly of the main water body.

61.22(9) Bob White State Park, Wayne County. Both sides of the east-west causeway embankment on County Road J46 from the parking lot on the west end of the causeway to a point approximately 300 feet east of the causeway bridge.

61.22(10) Lake Keomah State Park, Mahaska County.

a. The embankment of the dam between the crest of the dam and the lake.

b. The shoreline between the road and the lake from the south boat launch area west and north to the junction with the road leading to the group camp shelter.

61.22(11) Prairie Rose State Park, Shelby County. The west side of the embankment of the causeway across the southeast arm of the lake including the shoreline west of the parking area to its junction with the road leading toward the park ranger residence.

61.22(12) Green Valley Lake, Union County.

a. The embankment of the road from the small parking area east of the park ranger’s residence east to the “T” intersection and south to the westerly end of a point of land jutting into the lake directly south of the parking lot mentioned above.

b. From the east side of the spillway easterly across the dam to the west edge of the parking lot.

61.22(13) Rock Creek Lake, Jasper County. Both sides of the County Road F27 causeway across the main north portion of the lake.

61.22(14) Honey Creek State Park, Appanoose County. The boat ramp area located north of the park office, access to which is the first road to the left upon entering the park.

61.22(15) *Lake Manawa State Park, Pottawattamie County.* The west shoreline including both sides of the main park road, commencing at the north park entrance and continuing south 1.5 miles to the parking lot immediately north of the picnic area known as “Boy Scout Island.”

61.22(16) *Viking Lake State Recreation Area, Montgomery County.* The embankment of the dam from the parking area located southeast of the dam area northwesterly across the dam structure to its intersection with the natural shoreline of the lake.

61.22(17) *Hattie Elston Access, Dickinson County.* The entire area including the parking lot shoreline and boat ramp facilities.

61.22(18) *Claire Wilson Park, Dickinson County.* The entire area including the parking lot, shoreline and fishing trestle facility.

61.22(19) *Mini-Wakan State Park, Dickinson County.* The entire area.

571—61.23(461A) Vessels prohibited. Rule 571—61.22(461A) does not permit the use of vessels on the artificial lakes within state parks after the 10:30 p.m. park closing time. All fishing is to be done from the bank or shoreline of the permitted area.

571—61.24(461A) Campground fishing. Rule 571—61.22(461A) of these rules is not intended to prohibit fishing by registered campers from the shoreline within the camping area.

571—61.25(461A) Severability. Should any rule, subrule, paragraph, phrase, sentence or clause of this chapter be declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.

571—61.26(461A) Restore the outdoors program. Funding provided through the appropriation made by 1997 Iowa Acts, chapter 215, and subsequent Acts, shall be used to renovate, replace or construct new vertical infrastructure and associated appurtenances in state parks and other public facilities managed by the department of natural resources.

The intended projects will be included in the department’s annual five-year capital plan in priority order by year and approved by the natural resource commission for inclusion in its capital budget request.

The funds appropriated by 1997 Iowa Acts, chapter 215, section 37, and subsequent Acts, will be used to renovate, replace or construct new vertical infrastructure through construction contracts, agreements with local government entities responsible for managing state parks and other public facilities, and agreements with the department of corrections to use inmate labor where possible. Funds shall also be used to support site survey, design and construction contract management through consulting engineering and architectural firms and direct survey, design and construction management costs incurred by department engineering and architectural staff for restore the outdoors projects. Funds shall not be used to support general department oversight of the restore the outdoors program such as accounting, general administration or long-range planning.

These rules are intended to implement Iowa Code sections 422.43, 455A.4, 461A.3, 461A.35, 461A.38, 461A.43, 461A.45 to 461A.51, 461A.57, and 723.4 and Iowa Code Supplement section 461A.3A.

[Filed 9/14/65]

[Filed 5/5/78, Notice 3/8/78—published 5/31/78, effective 7/6/78]

[Filed 7/13/82, Notice 4/28/82—published 8/4/82, effective 9/8/82]

[Filed 4/7/83, Notice 2/2/83—published 4/27/83, effective 6/1/83]

[Filed 11/4/83, Notice 9/28/83—published 11/23/83, effective 12/28/83]

[Filed 2/6/84, Notice 12/21/83—published 2/29/84, effective 4/5/84]

[Filed 4/5/85, Notice 1/30/85—published 4/24/85, effective 5/30/85]

[Filed 5/8/85, Notice 1/30/85—published 6/5/85, effective 7/10/85]

[Filed emergency 5/31/85—published 6/19/85, effective 7/1/85]

[Filed emergency 6/11/86—published 7/2/86, effective 6/13/86]

[Filed 10/17/86, Notice 7/2/86—published 11/5/86, effective 12/10/86]

[Filed without Notice 12/12/86—published 12/31/86, effective 2/4/87]

[Filed 3/20/87, Notice 1/28/87—published 4/8/87, effective 5/13/87]

[Filed 10/16/87, Notice 8/26/87—published 11/4/87, effective 2/3/88]

[Filed emergency 7/7/89—published 7/26/89, effective 7/7/89]

[Filed 3/15/91, Notices 10/3/90, 12/26/90—published 4/3/91, effective 5/8/91]

[Filed 6/7/91, Notice 4/3/91—published 6/26/91, effective 7/31/91]*

[Filed emergency 10/4/91 after Notice 8/7/91—published 10/30/91, effective 10/4/91]

[Filed 3/13/92, Notice 12/25/91—published 4/1/92, effective 5/6/92]

[Filed 5/8/92, Notice 4/1/92—published 5/27/92, effective 7/1/92]**

[Filed emergency 8/7/92—published 9/2/92, effective 8/7/92]

[Filed 12/4/92, Notice 9/30/92—published 12/23/92, effective 1/27/93]

[Filed 8/13/93, Notice 6/23/93—published 9/1/93, effective 1/1/94]***

[Filed 8/12/94, Notice 6/8/94—published 8/31/94, effective 10/5/94]

[Filed 9/9/94, Notice 7/6/94—published 9/28/94, effective 11/2/94]

[Filed emergency 10/27/94—published 11/23/94, effective 10/27/94]

[Filed emergency 2/9/95—published 3/1/95, effective 2/10/95]

[Filed 5/15/95, Notice 3/1/95—published 6/7/95, effective 7/12/95]

[Filed 10/20/95, Notice 8/30/95—published 11/8/95, effective 12/13/95]

[Filed 8/9/96, Notice 6/5/96—published 8/28/96, effective 10/2/96]

[Filed 8/9/96, Notice 7/3/96—published 8/28/96, effective 10/2/96]

[Filed without Notice 10/18/96—published 11/6/96, effective 1/1/97]

[Filed 2/21/97, Notice 1/1/97—published 3/12/97, effective 4/16/97]

[Filed 8/22/97, Notice 6/4/97—published 9/10/97, effective 10/15/97]

[Filed 2/20/98, Notice 12/31/97—published 3/11/98, effective 4/15/98]

[Filed emergency 5/29/98—published 6/17/98, effective 5/29/98]

[Filed 8/21/98, Notice 6/17/98—published 9/9/98, effective 10/14/98]

*Effective date of subrule 61.6(2) and rule 61.7(7/31/91) delayed 70 days by the Administrative Rules Review Committee at its meeting held 7/12/91.

**Amendments to 61.4(2)“f” and 61.3(5)“a” effective January 1, 1993.

***Amendments to 61.4(2)“a” to “d” effective October 31, 1993.

ØTwo ARCs